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6 Proposed Counsel for
FRED HJELMESET,
7 Trustee in Bankruptcy

8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 In re

12 VINH NGUYEN
13 *aka* VINCE NGUYEN,

14 Debtor.

Case No. 22-50907 MEH
Chapter 7
Hon. M. Elaine Hammond

**APPLICATION FOR AUTHORITY TO
EMPLOY COUNSEL
(Rincon Law LLP)**

[No Hearing Requested]

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17 Fred Hjelmset Trustee in Bankruptcy of the estate of the above-named Debtor ("Applicant"
18 or "Trustee"), respectfully represents:

19 1. Applicant is the duly appointed, qualified and acting trustee in bankruptcy in this
20 case.

21 2. Applicant desires to retain Rincon Law LLP ("Proposed Counsel" or "Rincon Law"),
22 as Trustee's counsel in connection with all matters related to the above-referenced Chapter 7
23 proceeding, including, but not limited to:

24 a) Assist and advise the Trustee in legal aspects involved in the investigation,
25 collection and liquidation of potential assets of the estate;

26 b) Assist and advise the Trustee regarding any transfers which may be avoidable
27 under the provisions of the Bankruptcy Code;

28 c) Represent the Trustee in litigation he determines to be necessary;

1 d) After Applicant's review and request, assist the Trustee in the objection to
2 claims; and

3 e) Attend Court hearings related to the foregoing.

4 3. Applicant desires to retain Proposed Counsel on the basis of its expertise in
5 bankruptcy law and believes that retention of counsel is necessary and would be in the best interests
6 of the estate.

7 4. Rincon Law is a firm organized in San Francisco. To the best of Applicant's
8 knowledge, Proposed Counsel has no connection with the Debtor, creditors, or any other party in
9 interest, their respective attorneys and/or accountants, the United States Trustee or any person
10 employed in the Office of the United States Trustee, except as set forth in the declaration in support
11 of this application filed concurrently ("Declaration"). Proposed Counsel does not presently represent
12 any interest adverse to the Trustee or to the estate, except as set forth in the Declaration. Proposed
13 Counsel is a disinterested person.

14 5. Proposed Counsel generally charges on an hourly rate basis. The current rate charged
15 by members of Proposed Counsel that are expected to render the majority of the services to
16 Applicant is \$550 an hour. Proposed Counsel's rates are subject to change from time to time, but
17 generally not more than once per year. Proposed Counsel's rates will increase on January 1, 2023
18 to \$595 an hour.

19 6. As a general rule, Proposed Counsel's billing practices are identical for bankruptcy
20 and non-bankruptcy clients. The hourly rates on which Proposed Counsel bases its fees are generally
21 the same for bankruptcy and non-bankruptcy clients but can be higher for non-court-appointed
22 representations.

23 7. Proposed Counsel is in compliance with the Bankruptcy Court's Guidelines for
24 Compensation and Expense Reimbursement of Professionals and Trustees. It does not charge for its
25 word processing and incoming telecopy costs. Additionally, Proposed Counsel's San Francisco
26 office charges \$0.20 per page for photocopying; other clients of Proposed Counsel are charged
27 varying rates for reimbursement of that expense. In some instances, Proposed Counsel assesses a
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1 charge on some out-of-pocket costs to reimburse it for administrative overhead expense; Proposed
2 Counsel does not include such charges in bankruptcy fee applications.

3 8. This employment application is the entire agreement of the Trustee and Applicant as
4 to the terms of employment. There is no separate written or oral employment agreement.

5 WHEREFORE, Applicant prays for an Order authorizing the employment of Rincon Law
6 LLP as Trustee's counsel.

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8 DATED: December 13, 2022

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10 By: 

11 FRED HJELMESET,
12 Trustee in Bankruptcy

13 DATED: December 13, 2022

RINCON LAW LLP

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15 By: /s/ Gregg S. Kleiner

16 GREGG S. KLEINER
17 Proposed Counsel for FRED HJELMESET,
18 Trustee in Bankruptcy
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